

Judge Pauley

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
DAVID RAYMOND CARMEL, :
:
Defendant. :
:
- - - - - X

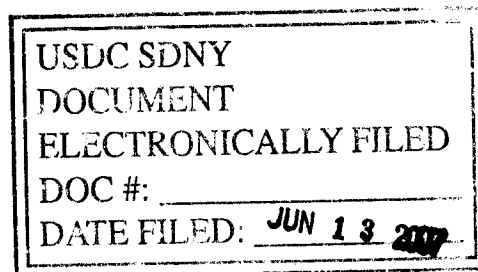
07 CRIM. 537
INDICTMENT
07 Cr.

COUNT ONE

The Grand Jury charges:

1. In or about May 2006, in the Southern District of New York and elsewhere, DAVID RAYMOND CARMEL, the defendant, unlawfully, willfully, and knowingly, did embezzle, steal, purloin, and knowingly convert to his use and the use of another, and without authority, did sell, convey, and dispose of a record, voucher, money, and thing of value of the United States and of a department and agency thereof, and property made and being made under contract for the United States and a department and agency thereof, the value of which exceeded \$1,000, to wit, CARMEL sold to an undercover law enforcement agent one AN/PEQ-2A weapons-mounted infrared laser-aiming light source ("PEQ"), which he had previously stolen from the United States Department of Defense.

(Title 18, United States Code, Sections 641 and 2.)



COUNT TWO

The Grand Jury further charges:

2. In or about June 2006, in the Southern District of New York and elsewhere, DAVID RAYMOND CARMEL, the defendant, unlawfully, willfully, and knowingly, did embezzle, steal, purloin, and knowingly convert to his use and the use of another, and without authority, did sell, convey, and dispose of a record, voucher, money, and thing of value of the United States and of a department and agency thereof, and property made and being made under contract for the United States and a department and agency thereof, the value of which exceeded \$1,000, to wit, CARMEL sold to an undercover law enforcement agent one PEQ, which he had previously stolen from the United States Department of Defense.

(Title 18, United States Code, Sections 641 and 2.)

COUNT THREE

The Grand Jury further charges:

3. In or about February 2007, in the Southern District of New York and elsewhere, DAVID RAYMOND CARMEL, the defendant, unlawfully, willfully, and knowingly, did embezzle, steal, purloin, and knowingly convert to his own use and the use of another, and without authority, did sell, convey, and dispose of a record, voucher, money, and thing of value of the United States and of a department and agency thereof, and property made and being made under contract for the United States and a

department and agency thereof, the value of which exceeded \$1,000, to wit, CARMEL sold to an undercover law enforcement agent two PEQs, which he had previously stolen from the United States Department of Defense.

(Title 18, United States Code, Sections 641 and 2.)

FORFEITURE ALLEGATION

4. As the result of committing the stolen property offense alleged in Counts One, Two and Three of this Indictment, in violation of 18 U.S.C. § 641, DAVID RAYMOND CARMEL, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to at least \$6,000.00 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the stolen property offense.

Substitute Assets Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of

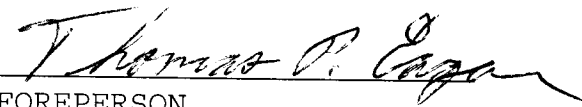
the Court;


d. has been substantially diminished in value;
or

e. has been commingled with other property which
cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.
§ 853(p), to seek forfeiture of any other property of said
defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 641 and 981 and
Title 28, United States Code, Section 2461)


FOREPERSON


MICHAEL J. GARCIA *MAA*
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DAVID RAYMOND CARMEL,

Defendant.

INDICTMENT

07 Cr.

(Title 18, United States Code,
Sections 641 and 2.)

MICHAEL J. GARCIA
United States Attorney

A TRUE BILL.

Thomas R. Egan
foreperson.

6/13/07 - FILED INDICTMENT

GORENSTEIN, USMJ.